

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Rights Regarding Educational Records Bentley University Policy Family Educational Rights and Privacy Act

This policy is issued in compliance with the regulations established by the Department of Education, 20 C.F.R. Part 99.6, for the university's implementation of the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, also known as FERPA. This policy is also guided by the laws in the commonwealth of Massachusetts concerning privacy. The university has established strong policy guidelines that support its adherence to FERPA and protect the rights of students, except under certain circumstances stated in the statute and its regulations and as noted below.

Notice

Students and parents receive notice of FERPA and their rights under FERPA through the electronic publication of the Student Handbook each academic year.

These rights include:

- The right to access educational records kept by the school.
- The right to seek an amendment of educational records or append a statement to the record.
- The right to consent to disclosure of educational records.
- The right to file complaints against the school for disclosing educational records in violation of FERPA.

Educational Records

Educational records are defined by FERPA as records that directly relate to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution.

Such records may include:

- Grades
- Class Schedule
- Personal information (including race/ethnicity, gender identity)
- Enrollment records

Educational records can be maintained in many forms, such as:

- Written or printed documents (including student advising records)
- Computer records, spreadsheets, and student files
- Information maintained in Workday or Canvas

Access/Amendment to Educational Records

Students and eligible parents have the right to access the student's educational records upon written request to the Office of Student Development, Conduct, and Care. An exception to this policy is made for requests from students or others for transcripts and degree information, which may be made directly to the Office of the Registrar. Requests for disclosure of educational records may be made by electronic signature when available. Each department/division of the university will determine if it will assess fees for copies of an educational record or transmission of an educational record to another party. All requests for changes to a student's educational record must be made in writing to the Office of

Student Development, Conduct, and Care. Students may also locate their own Student Conduct records anytime by visiting their Student Self-Service Portal.

Location of Educational Records

Educational records may be kept by the registrar, each committee, board, and department of the university, and by faculty and staff of the university in paper or electronic form.

Directory Information

Under FERPA guidelines, student information can be classified as either Directory Information or Non-Directory Information.

Unless otherwise requested by the student, Bentley (Information Desk, Registrar's Office, deans' offices, etc.) may release to the public, student data considered "directory information." If a student desires that directory information not be released, it is their responsibility to notify the Registrar's Office in writing or students may update their privacy status in Workday. Please note that students do not have the flexibility of choosing to release or not release particular items defined as directory information. Directory information, as defined by the Family Educational Rights and Privacy Act, includes the following information relating to a student:

- Name
- Address
- Email address
- Photograph
- Telephone number
- Date and place of birth
- Class standing
- Enrollment status
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Academic honors, degrees, and awards received
- Most recent previous educational agency or institution attended

Bentley will not sell or give directory information for commercial purposes to external vendors who are not affiliated with the institution. The university may use all directory information for the operation of student organizations or university-sponsored functions.

Disclosure Without Consent – Statutory Exceptions

The statute provides that, under a number of circumstances, the university will disclose educational record information to other persons/entities without seeking prior consent or notice to a student or eligible parent. Such examples include, but are not limited to: certain subpoenas and court orders; accrediting organizations; requests in connection with a student's application for financial aid; certain requests from federal, state, or local authorities; and disclosure to other "university officials" who "have legitimate educational interests" in the information and records.

"University officials" includes the officers and directors of the university; all members of the administration; faculty; staff; persons serving on conduct, promotion, and academic boards and committees; and any professional providing assistance to the university (such as lawyers, accountants, law enforcement personnel, medical personnel).

The university has determined that there are certain persons who have the right to review a student's educational records and personally

identifiable information in every case: officers of the university and the deans. Other university personnel will have access to educational records and personally identifiable information in circumstances where the dean of student affairs, or his or her designee, concludes based upon the information available to her or him at the time of the decision, that the disclosure of the records and/or information will assist the university in making decisions concerning a student's academic status or standing at the university or the health, safety, or well-being of a student or other members of the university community.

The dean of student affairs or his or her designee reserves the right to contact parents of a dependent student when it has been determined that the student's success is at risk.

Complaint Procedure

Students have the right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202 concerning any alleged failure on the part of Bentley to comply with the Family Educational Rights and Privacy Act.